

APPENDIX D-4
Beneficiary Eligible Mitigation Action Certification

BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATIONBeneficiary White Mountain Apache TribeLead Agency Authorized to Act on Behalf of the Beneficiary Office of the Attorney General
(Any authorized person with delegation of such authority to direct the Trustee delivered to the Trustee pursuant to a Delegation of Authority and Certificate of Incumbency)

Action Title:	VW Settlement 3
Beneficiary's Project ID:	VW Settlement 3
Funding Request No.	(sequential) 3
Request Type: (select one or more)	<input type="checkbox"/> Reimbursement <input checked="" type="checkbox"/> Advance <input type="checkbox"/> Other (specify): _____
Payment to be made to: (select one or more)	<input checked="" type="checkbox"/> Beneficiary <input type="checkbox"/> Other (specify): _____
Funding Request & Direction (Attachment A)	<input checked="" type="checkbox"/> Attached to this Certification <input type="checkbox"/> To be Provided Separately

SUMMARY

Eligible Mitigation Action <input checked="" type="checkbox"/> Appendix D-2 item (specify): <u>EMA 1</u> Action Type <input type="checkbox"/> Item 10 - DERA Option (5.2.12) (specify and attach DERA Proposal): _____
Detailed Description of Mitigation Action Item Including Community and Air Quality Benefits (5.2.2): Emissions reductions from replacement of aged equipment.
Estimate of Anticipated NOx Reductions (5.2.3): More than 90% based on EPA model results.
Identification of Governmental Entity Responsible for Reviewing and Auditing Expenditures of Eligible Mitigation Action Funds to Ensure Compliance with Applicable Law (5.2.7.1): Tribal Attorney General's Office
Describe how the Beneficiary will make documentation publicly available (5.2.7.2). Tribal non-disclosure waiver as required using Tribal website.
Describe any cost share requirement to be placed on each NOx source proposed to be mitigated (5.2.8). N/A
Describe how the Beneficiary complied with subparagraph 4.2.8, related to notice to U.S. Government Agencies (5.2.9). No federal agencies have expressed interest in the Tribe's Settlement participation.

If applicable, describe how the mitigation action will mitigate the impacts of NOx emissions on communities that have historically borne a disproportionate share of the adverse impacts of such emissions (5.2.10). N/A

ATTACHMENTS
(CHECK BOX IF ATTACHED)

- | | | |
|-------------------------------------|---------------------|---|
| <input checked="" type="checkbox"/> | Attachment A | Funding Request and Direction. |
| <input checked="" type="checkbox"/> | Attachment B | Eligible Mitigation Action Management Plan Including Detailed Budget and Implementation and Expenditures Timeline (5.2.4). |
| <input checked="" type="checkbox"/> | Attachment C | Detailed Plan for Reporting on Eligible Mitigation Action Implementation (5.2.11). |
| <input checked="" type="checkbox"/> | Attachment D | Detailed cost estimates from selected or potential vendors for each proposed expenditure exceeding \$25,000 (5.2.6). [Attach only if project involves vendor expenditures exceeding \$25,000.] |
| <input type="checkbox"/> | Attachment E | DERA Option (5.2.12). [Attach only if using DERA option.] |
| <input type="checkbox"/> | Attachment F | Attachment specifying amount of requested funding to be debited against each beneficiary's allocation (5.2.13). [Attach only if this is a joint application involving multiple beneficiaries.] |

CERTIFICATIONS

By submitting this application, the Lead Agency makes the following certifications:

- 1. This application is submitted on behalf of Beneficiary White Mountain Apache Tribe and the person executing this certification has authority to make this certification on behalf of the Lead Agency and Beneficiary, pursuant to the Certification for Beneficiary Status filed with the Court.**
- 2. Beneficiary requests and directs that the Trustee make the payments described in this application and Attachment A to this Form.**
- 3. This application contains all information and certifications required by Paragraph 5.2 of the Trust Agreement, and the Trustee may rely on this application, Attachment A, and related certifications in making disbursements of trust funds for the aforementioned Project ID.**
- 4. Any vendors were or will be selected in accordance with a jurisdiction's public contracting law as applicable. (5.2.5)**
- 5. Beneficiary will maintain and make publicly available all documentation submitted in**

support of this funding request and all records supporting all expenditures of eligible mitigation action funds subject to applicable laws governing the publication of confidential business information and personally identifiable information. (5.2.7.2)

7/23/2020

DATED: _____



KeAloha Douma

Attorney General

[NAME]

[TITLE]

Office of the Attorney General

[LEAD AGENCY]

for

White Mountain Apache Tribe

[BENEFICIARY]

D4 (pages 2 and 3 detail)

5.2.2

The equipment identified will enable the Tribe to retire other poorly performing equipment from use and also provide contemporary, safe and appropriate emergency response capacity for Tribal communities. Older equipment has been used due to availability despite its poor air quality performance, exposing the community and staff proximate to the units to substantially higher NO_x, particulate, and carbon emissions than will be generated from the operation of the new, efficient units for the same purposes.

The following equipment will be replaced:

1992 Fire Response Unit (Class 8, Ford engine)	VIN 1FDYU90LXPVA12526
1993 Cyclone Pumper (Class 8, E-One FM)	VIN 4ENBAAA83P1002961

5.2.3 NO_x Reductions Estimate

Fire Unit 1	96.2% Reduction (EPA DEQ Tool)
Fire Unit 2	96.2% Reduction (EPA DEQ Tool)

Annual Results (short tons)	NO _x	PM _{2.5}	HC	CO
Baseline for Upgraded Vehicles	1.922	0.083	0.064	0.438
Amount Reduced After Upgrades	1.849	0.082	0.059	0.417
Percent Reduced After Upgrades	96.2	98.2	92.3	95.2

5.2.7.2 Publicly Available Information

The White Mountain Apache Tribe shall publish on its official government website at <http://www.wmat.us> a public notice for availability for public review of documentation and records: (i) submitted by it in support of each funding request and ii) supporting all expenditures of Trust Funds by the Beneficiary, each until the Termination Date of the Trust pursuant to Paragraph 6.8 of the Trust Agreement. The public notices shall instruct members of the public to contact the Attorney General of the White Mountain Apache Tribe to inspect such records at the Office of the Attorney General at 201 E. Walnut Street, Whiteriver, AZ 85941, between 9 a.m. and 3 p.m. on any regular business day. The release of information will be subject to all applicable laws and policies of the White Mountain Apache Tribe.

ATTACHMENTS B & C

Detailed Cost Estimates from Selected Vendors White Mountain Apache Tribe (WMAT)

First Item: 2020 Fire Response Unit

Description: 2020 Freightliner VM-8 Wetside Tanker/Tender Commercial Cab 2X4 2000
Gallon Tactical Tender

Bid amount: \$268,494.00

Quantity: 2

Vendor: H&E Equipment Services

Vehicle Total: \$536,988.00

Vehicle Total:	\$536,988.00
Supplemental Equipment (Accessories/Oil/Tires):	\$5,888.00
Project Equipment Total:	\$542,876.00

Budget Overview			
Period of Performance: Funding Cycle 3, June 29, 2020 through December 29, 2020			
Budget Category	Total Approved Budget	Share of total Budget to be Funded by the Trust	Cost-Share, if applicable
Equipment Expenditure	\$542,876.00	100%	-0-
Contractor Support	N/A	-0-	-0-
Subrecipient Support	-0-	-0-	NIA
Administrative	-0-	-0-	NIA
Project Totals	\$ 542,876	\$ 542,876	-0-
Percentage	100%	100%	-0-

***Timeline**

Date	Action	Outcome
November 12, 2020	Payment from Trustee	Funds received
November 30, 2020	Equipment purchased	Items ordered/for assembly
December 30, 2020	Item delivery verification by Tribal Fire Admin.	Fire Department verifies status of order/delivery/payment
May 12, 2021	Report (to Trustee)	Tribe confirms receipt, operation and conformity of equipment status.

*(If equipment delivery is delayed past May 12, 2021, Tribe will provide a second report to the Trustee documenting delayed receipt and conformity.)

ATTACHMENT D

Detailed Cost Estimates from Selected Vendors
White Mountain Apache Tribe

First Item: 2020 Fire Response Unit (Class 8)
Description: 2020 Freightliner VM-8 Wetside Tanker/Tender Commercial Cab 2X4 2000
Gallon Tactical Tender
Quantity: 2
Vendor: H&E Equipment Services
Total: \$268,494.00 each

Vendor Equipment Total: \$536,988.00

Project Vendor Total: \$536,988.00

H&E EQUIPMENT SERVICES®

Thursday July 16, 2020

White Mountain Apache Fire
612 Chief Avenue
Whiteriver, AZ 85941
Chief Mark Tessay 928-338-170
MarkTessay@wmat.us

We at H&E Equipment Services are pleased to quote the following:

(1) Commercial Cab 2X4 2000 Gallon Tactical Tender Available October 2020:

- 2020 Freightliner M2 106 2 Door Chassis
- Cummins ISL 9 350 HP Engine
- Allison EVS 3000 Transmission
- Hale MBP 750 GPM Pump
- 2000 Gallon UPF Water Tank
- 2100 Gallon Portable Fold A Tank
- Steel Wheels Painted Job Color
- 50 Gallon Fuel Tank
- LED Emergency Lighting
- LED Lighting
- LED Scene Lighting
- (3) Sections 10' Hard Suction Hose
- Reflective Striping at Rear of Truck
- 6" Reflective Stipe (White) both sides of unit
- Number Plates with Slideouts
- Adjustable Shelving (1) per compartment (4)
- Customer Logos (2)

Base Truck Cost Each: \$266,494.0
HGAC Processing Fee: \$2000.00
Budgetary Total Cost Single Unit: \$268,494.00

*Sales Tax not included in cost shown above.

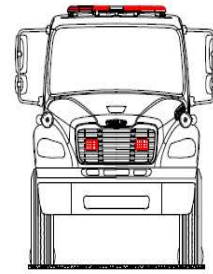
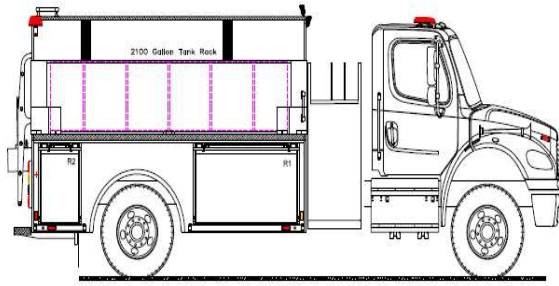
* Pump and Roll option and bumper turret not included.



Mark Julien

Mark Julien
Apparatus Sales H&E Equipment Services

Customer Acceptance



SIDE MOUNT TANKER			
COMPT.	OPENING	INTERIOR DIMENSION	
L1/R1	57.5W 30H	60W 37.75H	26D
L2/R2	21.5W 30H	24W 37.75H	26D

THIS DRAWING IS FOR REFERENCE PURPOSES. ALL DIMENSIONS ARE SUBJECT TO MINOR VARIATIONS DUE TO MANUFACTURING PROCESSES.

VM8

OCALA, FL
 SO.144014
 750 GPM / 2000 GAL WATER
 FREIGHTLINER M2-106 2 DOOR CAB 4X2 CHASSIS

